HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

Division Bench

(13)

CORAM: Hon'ble Shri S.R. Nayak, C.J.
Hon'ble Shri D.R. Deshmukh, J.

M.C.C.No.85 OF 2006

APPLICANTS

1. Smt. Pramila Sahu, W/o. Late Bholaram Sahu, aged about 27 years
2. Ku. Renuka, D/o. Late Bholaram Sahu, aged about 12 years
3. Ku. Reshama, D/o Late Bholaram Sahu, aged about 10 years
4. Smt. Kondi Bai, W/o. Late Chintu Ram Sahu, aged about 55 years

All R/o. Village Tumadipar, Post Bortara, Tahsil Saja, District - Durg (Minor appellant No. 2 & 3 Through Mother of Smt. Pramila Sahu appellant No. 1)

versus

RESPONDENTS

1. Sheikh Abdul, S/o Sheikh Jalaluddin, Caste - Musalman Aged about 25 years, R/o Village Nikum, P.S. Arjunda, Tah. & Dist. Durg (C.G.) (jeep Bearing No. M.P. 22/W/0164 Driver)
2. Smt. Shahida Begam, W/o Salim Beg Age-40 years, R/o. B-4/33, Township Malajkhand, Dist. Balaghat, Tahsil Baihar (M.P.) Present Address Vill. Post Devkar, Musalmanpara Devkar, P.S. Dhamdha, Dist. Durg (C.G.), (Jeep bearing No. M.P. 22/W/0164 Owner)
3. The National Insurance Company Limited, Shopping Complex Malajkhand, Through : The National Insurance Company Ltd. Division Office Aakash Ganga Supela Bhilai, Tah. & Dist. Durg (C.G.) receipt No. 4086, dated 18-12-2001 Policy No. 320903/2001/6700702 (New) Valid dtd. 19-12-2001 to 18-12-2002, office Malajkhand (Jeep bearing No. M.P. 22/w/0164 insurance company)

Present : Mr Vivek Sharma, learned counsel for the applicants.

ORAL ORDER
(Passed on 27th February, 2006)

The following order of the Court was passed by

S.R. Nayak, C.J.

Heard.

Sufficient cause is shown. The M.C.C. is ordered as prayed for. The default order dated 03-01-2006 is set aside and Misc. Appeal No.894 of 2005 is restored to file of the Court, subject to the appellants depositing a sum of Rs. 100/- to the credit of Chhattisgarh High Court Legal Services Committee, within ten days from today.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge